



BERKELEY COUNTY DEPARTMENT OF LAND USE PLANNING AND ENGINEERING

400 West Stephen Street - Suite 202, Martinsburg, WV 25401-3838
Telephone: 304-264-1966 or 304-264-1963, Fax: 304-262-3128 or 304-262-3127
Web Page: www.berkeleycountycomm.org

July 12, 2010 @ 7:00 pm.

*****We are now back at 400 West Stephen Street*****

*****In the County Commission Chambers*****

Amended Agenda

*****SUBJECT TO CHANGE*****

1. CALL TO ORDER
2. ROLL CALL
3. SUNSHINE LAW SPEAKERS
4. PUBLIC HEARING
 - a. REQUEST FOR SKETCH PLAN ADVANCEMENT-12789 Winchester Avenue-File#005-10.
 - b. REQUEST FOR SKETCH PLAN ADVANCEMENT-Lot 27 Subdivision-File#010-10.
 - c. REQUEST FOR WAIVER-Doug Cookus-File#030-10M.
5. FINAL PLAN DETERMINATION
 - a. REQUEST FOR FINAL PLAN DETERMINATION-Lot B-1 Spring mills Towne Center -File#026-09.
6. FINAL PLAT APPROVAL
 - a. REQUEST FOR FINAL PLAT REVIEW-Boyd's Crossing Outlot-File#011-09.(2004 REGS)
 - b. REQUEST FOR FINAL PLAT REVIEW-Jeff Crampton Lots-File#85-05. (2004 REGS)
7. TABLED ITEM
 - a. Washington Heights, Section 1-File#028-08.
8. NON-RENEWAL OF CREDIT
9. STAFF/COUNSEL DISCUSSION/ACTION/MOTION
10. ADJOURNMENT

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**PUBLIC HEARING
STAFF REPORT
REQUEST FOR SKETCH PLAN ADVANCEMENT**

Project: 12789 Winchester Avenue

File #: 005-10

Developer: Brent Jackson
43 Ellwood street
Martinsburg, WV 25404

Engineer: Lavelle & Associates
5737 Industry Lane
Frederick, MD 21704

District, Tax Map & Parcel #: MC, M17K, P5

Location: Property is located on US Route 11, 300 feet before the VA border, in the Mill Creek Tax District.

Project Description: The project proposes one commercial lot on approximately 0.4 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	
GPP Permit Application	
NPDES Permit Application	
Environmental Checklist	3/29/2010
*Traffic Study	
*School Impact Analysis	

July 12, 2010

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Meetings & Submissions	Date
Public Hearing Advertisement (Sketch)	5/27/2010 & 6/25/2010
Sketch PC Meeting	6/14/2010
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Final)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no waivers for this project.

Project Notes:

Staff's Recommendation: Staff recommends advancement of the Sketch Plan to the Preliminary Plan Stage as complying with the provisions of the Ordinance

Engineer's Recommendation: The Assistant County Engineer has reviewed the above mentioned project and found it to be acceptable.

Respectfully Submitted,

The Planning Department

July 12, 2010

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**PUBLIC HEARING
STAFF REPORT
REQUEST FOR SKETCH PLAN ADVANCEMENT**

Project: Lot 27 Subdivision

File #: 010-10

Developer: D. Wayne Dunham
2821 Butlers Chapel Road
Hedgesville, WV 25427

Engineer: Roberts Land Surveying
2068 Palmer Road
Hedgesville, WV 25427

District, Tax Map & Parcel #: H, M21, P133

Location: Property is located on the west side of WV State Route 9, at the intersection of Route 9 and Route 9/10 (Butlers Chapel Road) and Route 9/49 (Luttrell Avenue), in the Hedgesville Tax District.

Project Description: The project proposes a single family development of 3 (three) lots with a residue on approximately 1.5474 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	
Berkeley County Public Service Water District (Water Availability)	
Berkeley County Public Service Sewer District (Sewer Availability)	
State Health Department (Water)	
State Health Department (Sewer)	
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	N/A
GPP Permit Application	
NPDES Permit Application	
Environmental Checklist	
*Traffic Study	N/A
*School Impact Analysis	N/A

July 12, 2010

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Meetings & Submissions	Date
Public Hearing Advertisement (Sketch)	6/25/2010
Sketch PC Meeting	
Preliminary Plat Submitted	
1st Review Comments	
Preliminary Plat Resubmitted	
Preliminary Plat Resubmitted	
Advertised	
Public Hearing (Final)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no waivers for this project.

Project Notes:

Staff's Recommendation: Staff recommends advancement of the Sketch Plan to the Preliminary Plan Stage as complying with the provisions of the Ordinance

Engineer's Recommendation: The Assistant County Engineer has reviewed the above mentioned project and found it to be acceptable.

Respectfully Submitted,

The Planning Department

July 12, 2010

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**BERKELEY COUNTY DEPARTMENT OF LAND USE
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**STAFF REPORT
REQUEST FOR FINAL PLAN DETERMINATION**

Project: Spring Mills Towne Center Lot B-1

File #: 026-09

Developer: Glenbrook Properties, Inc.
6508 Old Farm Court
Rockville, MD

Engineer: Fox and Associates
981 Mt. Aetna Road
Hagerstown, MD 21740

District, Tax Map & Parcel #: FW, M14, P/O 8

Location: Property is located on the west side of US Route 11, 700 feet south of WV Route 901, in the Falling Waters Tax District.

Project Description: The project proposes a commercial business on approximately 0.8800 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	4/14/2010
Berkeley County Public Service Sewer District (Sewer Availability)	4/14/2010
State Health Department (Water)	4/22/2010
State Health Department (Sewer)	4/22/2010
Department of Highways (Entrance Permit)	3/22/2010
Central Dispatch (Road Names)	3/22/2010
GPP Permit Application	4/14/2010
NPDES Permit Application	4/14/2010
Environmental Checklist	11/17/2009
*Traffic Study	N/A
*School Impact Analysis	N/A

July 12, 2010

Meetings & Submissions	Date
Public Hearing Advertisement (Sketch)	1/21/2010
Sketch PC Meeting	2/8/2010
Preliminary Plat Submitted	3/22/2010
1st Review Comments	3/25/2010
Preliminary Plat Resubmitted	4/14/2010
Public Hearing (Final)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers: There have been no waivers for the above mentioned project to date.

Project Notes:

Staff's Recommendation: Staff recommends advertising the Final Plan on July 13, 2010 for the August 9, 2010 Planning Commission Meeting.

Engineer's Recommendation: The Assistant County Engineer has reviewed and found the above mentioned project to be acceptable.

Respectfully Submitted,

The Planning Department

July 12, 2010



BERKELEY COUNTY PLANNING COMMISSION

400 West Stephen Street - Suite 203, Martinsburg, WV 25401-3838

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****AMENDED****

STAFF REPORT FINAL PLAT REVIEW

2004 regulations

Project: Boyd's Crossing Outlot

File #: 011-09

Developer: George Glaize
30 South Cameron Street
Winchester, VA 22602

Engineer: Painter-Lewis
817 Cedar Creek Grade # 120
Winchester, VA 22601

District, Tax Map & Parcel #: MC, M9, P47.5

Location: The property is located at the southeast corner of Runny Meade Road, Route 26 and Interstate 81, in the Mill Creek Tax District.

Project Description: Proposes a commercial billboard on approximately 0.50 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	N/A
Berkeley County Public Service Sewer District (Sewer Availability)	N/A
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit)	
Central Dispatch (Road Names)	N/A
GPP Permit Application	N/A
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A

July 12, 2010

6a

Meetings & Submissions	Date
Pre-Application STAC Meeting	
Preliminary Plat Submitted	5/27/2009
1st Review Comments	7/6/2009
Preliminary Plat Resubmitted	8/3/2009
Preliminary Plat Resubmitted	
Advertised	9/5/2009
Public Hearing (Preliminary Plat/Site Plan Approval)	11/9/2009
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no variances/waivers for this project.

Project Notes:

1. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.
2. However, any future construction on the above mentioned parcel creating five thousand (5,000) square feet or greater of disturbance area will require compliance with the Storm Water Management and Sediment and Erosion control ordinance at that time.

Engineer Report: An engineering review has been completed on the above project and it was found to be acceptable.

Staff Recommendation: Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends granting Final Plat Approval as complying with the provisions of the Ordinance.

Respectfully Submitted,

The Planning Department

July 12, 2010

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**STAFF REPORT
REQUEST FOR FINAL PLAT REVIEW**
2004 Regulations

Project: Jeff Crampton Lots

File #: 85-05

Developer: Jeff Crampton
261 Frederick Street
Hagerstown, MD 21740

Engineer: Lavelle & Associates
5732 Industry Lane
Frederick, MD 21704

District, Tax Map & Parcel #: FW,

Location: The property is located on the east side of Route 11/3 (Crawford Quarry Road), in the Falling Waters Tax District.

Project Description: The project proposes 3 lots on approximately 5.85 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	N/A
Berkeley County Public Service Sewer District (Sewer Availability)	N/A
State Health Department (Water)	N/A
State Health Department (Sewer)	N/A
Department of Highways (Entrance Permit)	3/15/2010
Central Dispatch (Road Names)	3/15/2010
GPP Permit Application	N/A
NPDES Permit Application	N/A
*Traffic Study	N/A
*School Impact Analysis	N/A

July 12, 2010

Meetings & Submissions	Date
Pre-Application STAC Meeting	03/04/08
Preliminary Plat Submitted	06/13/09
1st Review Comments	3/11/09
Preliminary Plat Resubmitted	03/31/09, 04/15/09
Preliminary Plat Resubmitted	05/05/09,05/07/09 05/29/09
Advertised	5/21/09
Public Hearing (Preliminary Plat/Site Plan Approval)	
Final Plat/Site Plan Approval	
Bond Reduction	

Waivers/ Variances: There have been no waivers for this project.

Project Notes:

1. Storm Water Management is in compliance with the Berkeley County Storm Water Management and Sediment and Erosion Control Ordinance, per Section 713 of the Subdivision Regulations.
2. However, any future construction on this project, as noted on the plat, will require compliance with the Storm Water Management, Sediment and Erosion control ordinance, and the Flood plain ordinance at that time.

Staff Recommendation: Based upon the applications, approvals received from various agencies, staff recommendations, and information submitted at the public hearing, staff recommends granting Final Plat Approval as complying with the provisions of the Ordinance.

Engineer Recommendation: The County Engineer has reviewed the above project and found it to be acceptable.

Respectfully Submitted,

The Planning Department

July 12, 2010



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TABLED ITEM
STAFF REPORT
REQUEST FOR BOND REDUCTION

Project: Washington Heights, Section 1

File #: 028-08

Developer: Shenandoah Builders & Excavating
 187 Old Leetown Pike
 Kearneysville, WV 25430

Engineer/Surveyor: The Berkeley Associates
 651 Foxcroft Avenue
 Martinsburg, WV 25401

District, Tax Map & Parcel #: A, M 18, P 9

Location: The property is located adjacent to County Route 11/8 (Sir Washington Street) approximately ¼ mile west of Route 11 in Darkesville, in the Arden Tax District.

Project Description: The project is proposing 20 single family residences on approximately 14.89 acres.

Administrative History:

Approval Letters	Date Received
Berkeley County Health Department (Wells and Septic)	N/A
Berkeley County Public Service Water District (Water Availability)	10/14/08
Berkeley County Public Service Sewer District (Sewer Availability)	10/14/08
State Health Department (Water)	9/11/07
State Health Department (Sewer)	9/11/07
Department of Highways (Entrance Permit)	9/11/07
Central Dispatch (Road Names)	9/11/07
GPP Permit Application	9/11/07
NPDES Permit Application	9/11/07
*Traffic Study	9/11/07
*School Impact Analysis	9/11/07

July 12, 2010

Meetings & Submissions	Date
Pre-Application STAC Meeting	3/22/06
Preliminary Plat Submitted	10/3/07
1st Review Comments	11/1/07
Preliminary Plat Resubmitted	5/28/08
Preliminary Plat Resubmitted	8/13/08
Advertised	9/2/08
Public Hearing (Preliminary Plat/Site Plan Approval)	10/3/08
Final Plat/Site Plan Approval	10/20/08
Bond Reduction	N/A

Waivers/ Variances: There have been no waivers/variances.

Project Notes: **Project was tabled at the June 7, 2010 Planning Commission Meeting, due to the absence of a representative.**

Engineers Recommendation: The Assistant County Engineer recommends reducing the associated surety by \$178,872.00 for a retained surety of \$132,840.00.

Respectfully Submitted,

The Planning Department

July 12, 2010

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